

Springfield Township
Planning Commission – Business Meeting
Minutes May 21, 2012

Call to Order: Chairman Baker called the May 21, 2012 Business Meeting of the Springfield Township Planning Commission to order at 7:30 p.m. at the Springfield Township Civic Center, 12000 Davisburg Road, Davisburg, MI 48350.

Attendance:

Commissioners Present:

Dean Baker
Ruth Ann Hines
Dave Hopper
Bill Leddy
Kevin Sclesky
Beverly Shaver
Neil Willson

Commissioners Absent

Staff Present

Collin Walls, Supervisor

Consultants Present

Brian Oppmann, Planner

Approval of Agenda:

Commissioner Willson moved to approve the agenda as presented. Supported by Commissioner Hopper. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: None. Motion Carried.

Public Comment: None.

Consent Agenda:

1. Minutes of the April 16, 2012 meeting

Chairman Baker stated that page 12, paragraph 5 should be “conduct” instead of “be.”

Commissioner Hines moved to approve the April 16, 2012 with the amendment above. Seconded by Commissioner Willson. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: None. Motion Carried.

Public Hearing:

1. Adding Article IX (a) – VC Village Center District

Public Hearing was opened at 7:34 pm.

Diana Walls, 627 Broadway, Davisburg, stated that the business owners suggested an overlay district to preserve the historical presence of the downtown.

Commissioner Hines clarified that it would be rezoned to Village Center and then there would be an overlay district that just applied to the hamlet. Mrs. Walls answered yes and if a business changed signs it would be kept in a particular era. Commissioner Hines stated more like an historic preservation overlay. Mrs. Walls concurred.

Commissioner Sclesky asked if Mrs. Walls was the representative of the downtown area. Mrs. Walls replied yes, most of them are members of the Downtown Davisburg Association.

Public Hearing was closed at 7:38 pm.

New Business:

1. Adding Article IX (a) – VC – Village Center District

Commissioner Willson asked how they would accomplish the overlay that was proposed. Commissioner Shaver asked what the overlay would accomplish.

Mr. Oppmann stated that there are two items that were mentioned. One was the architecture of the buildings and he believed that this was accomplished in the architectural standards. Any building constructed has to use materials which are durable such as brick, etc. and things like stucco are only permitted as an enhancement of the overall façade. He stated that the structures are maintained in this case and the other item is signage. He doesn't think that an overlay is what is needed for the signage. He stated that they could accomplish this in an added statement that indicated that the signage needed to reflect the time period or the era that it is trying to represent. He stated that they should be cautious about requiring that signage be constructed of a certain material. There is not a designated historic official district or historic district guidelines in Downtown Davisburg. He stated that they can add that the signage has to represent the time period of Davisburg. He stated that he would add a blanket statement to 16.07.4.c.

Commissioner Hines stated that it is clear in the Intent section that it is intended to protect the unique historic character of the area, existing historical buildings and historical architecture. She stated that this clearly describes the intent.

Mr. Oppmann stated that the architectural standards clearly define this intent. He stated another place to add a clarifying statement would be under architectural standards under signage. This is another place to add a sentence in regards to signage. He clarified that there would be two additions: one under 9.07(a) and the other being 16.07.4.c.

Commissioner Hopper asked who would be judging these items. He stated that it says complimentary to the historical character; this could be different for different people.

Mr. Oppmann stated that ultimately the Planning Commission will review any particular project against these standards and make a determination and then perhaps the Township Board. He stated that he understands Commissioner Hopper's concern and the decision can be arbitrary. He stated that if any development occurs, they want it to be complimentary.

Commissioner Hopper stated that he concurs; changes suggested should be in both locations.

Commissioner Shaver asked if this was the job of a Historical Committee and not so much the Planning Commission.

Mr. Oppmann stated that in typical downtowns you have Historical Districts that are established and then an inventory is done and standards are created; this is a lengthy process. This involves a strict material list that can be used and that will be approved.

Commissioner Hines asked who initiated the creation of a Historical District.

Mr. Oppmann answered that it would be the business owners downtown.

Mrs. Walls asked if the District was on the registry. Mr. Oppmann answered that the district has not been established; perhaps some of the buildings are on the State Register.

Mr. Oppmann stated that he would provide this amendment to Supervisor Walls for his review prior to presentation to the Township Board in June 2012.

Commissioner Sclesky asked Mrs. Walls if this is what the business owners were looking for. Mrs. Walls answered yes; the business owners were looking for conformity to the mid-1800s time period.

Chairperson Baker reiterated that they were leaning towards insertion of language in the architectural standards section and the sign section preserving the historic features maintaining the historical character and for the Township Planner to work with the Township Supervisor to work on this language.

Planning Commissioners agreed.

Commissioner Hines moved recommending to the Township Board the adoption of Article IX(a) – VC – Village Center having the Township Supervisor and the Planner work to add language under Section 9.06 and Section 16.07 that would state that the signs would be such to reflect the era or historic time of the Village Center. Seconded by Commissioner Leddy. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: None. Motion Carried.

2. Sign Provisions – add for PR (Parks & Recreation) and PS (Public Service)

Supervisor Walls stated that the document should read 16.07 instead of 14.07.

Chairperson Baker asked if provisions were being corrected or absent. Supervisor Walls stated that they were absent. When Parks & Recreation districts and Public Service districts were added to the Ordinance in 2007 they omitted signage. He stated that Resource Conservation used to be broader and signage allowed now seemed excessive.

Commissioner Hines asked if the motion could be together. Chairperson Baker answered yes.

Commissioner Hopper asked how the time line is determined for the amendments.

Mr. Oppmann stated that the notice is written such that those items that are not changed stay the same, “the balance of the ordinance remains in effect.”

3. Sign Provisions – revise for RC (Resource Conservation)

Commissioner Hopper moved to set proposed PR, PS and RC amendments for 16.07 (3) b, Ground Sign and 16.07 (4) b, Building Sign for a Public Hearing at the next available date. Seconded by Commissioner Wilson. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: None. Motion Carried.

Old Business:

1. Mining and Extraction Ordinance – Discussion

Mr. Oppmann stated that he and Mr. Carlisle put together the Board memo based on the current standing of the ordinance in regards to Mining and Extraction. He stated that the Township currently has an E-1 district that regulates mining control and extraction and a mining control chapter in the general Code. He stated that the zoning control regulates the land use activity and the mining control chapter in the general Code would regulate hours of operation, etc. Mr. Oppmann stated that the mining control chapter was amended as recently as 2008 and it is pretty up to date. It requires an applicant to submit a plan and the Township Board authorizes the Planning Commission to look at it. The Planning Commission then makes a recommendation to the Board. He stated that it is essentially a mining permit designed to be reviewed annually by the Planning Commission and the Township Board. He stated that because of the changes in the Zoning Act and the “very serious consequences” ruling, it shifts the burden of proof to the Township and he thinks they need to review the mining ordinance to make sure that it is sufficient. He also suggested that the Township Attorney should also look at these. He stated that the controls seem very appropriate. He stated that regarding the District in the Zoning Ordinance, the Zoning Board of Appeals is essentially the body that would review them

which is unusual. This is a conflict between the mining ordinance and the zoning ordinance; there are different bodies that are reviewing them. This should be addressed. The E-1 district has fees associated with it and these should not be addressed in the ordinance, they should be part of the fee schedule which is taken care of by the Township Board. There are some operational standards which conflict with the mining control ordinance. He stated that there are conflicts between the two and he recommended that they take a look at the whole thing after recommendation by the Township Attorney to insure that what they do write meets the intent of the Zoning Enabling Act and meets the “very serious consequences” ruling. He stated that there is property in the Township that could be mined in the future and they need to take a look at it.

Chairperson Baker asked Mr. Oppmann’s thoughts on rewriting the district. Mr. Oppmann stated that there is already a district in place and they should keep it and modify the controls. Mr. Oppmann asked if they had any E-1 parcels in the Township. Supervisor Walls answered yes.

Commissioner Hopper stated that the recommendation to look at it should come from the Township Board. He stated that the Township Attorney should review the mining control ordinance. Mr. Oppmann concurred; the Township Attorney should also be asked if they should keep the E-1 district.

Commissioner Hines asked if the Board has to authorize this. Commissioners agreed that they did.

Chairperson Baker stated that it was a suggested course of action.

Commissioner Hopper stated that the mining control is under the Township Board, any changes in fee schedule would also be directed to the Board. He stated that it makes the most sense to do both at once. He stated that they will probably refer it back to the Planning Commission.

Commissioner Leddy stated that they should also remove it from the Board of Appeals and put it back to the Planning Commission. He stated that he would also like to see a provision for safety paths for these districts. He asked if Oil and Gas Extraction would be included.

Supervisor Walls and Mr. Oppmann answered that Oil and Gas were exempt and they had no control over it.

Commissioner Hines moved to request that the Township Board initiate review of the Township’s extractive operations regulations which includes the Extractive District and the mining control chapter of the general Code of Ordinances currently in place. Seconded by Commissioner Shaver. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: None. Motion Carried.

Mr. Sclesky suggested that the Township Board be made aware that it is the consensus of the Planning Commission to involve the Township Attorney and the Township Planner so

that the language is sufficient to protect the Township in regards to “serious consequences.”

Chairperson Baker stated that these are details that can be conveyed to them after it is sent back to them under Township Board direction. Mr. Oppmann concurred; the Township Board should make the ultimate decision and they should initiate the investigation.

2. Dixie Corridor – HRC 2009 Report

Chairperson Baker stated that this was a report supplied by Randy Ford in December 2009 relevant to waste water and potable water systems for properties known as Dixie Baptist and the Bordines property.

Chairperson Baker stated that it was mentioned that they had designed in a restaurant and he asked the Commission members for a restaurant that was similar in size.

Commissioner Hopper answered that Outback Steakhouse is about an 130 occupant load limit. He stated that this was a result of the proposed Redico plan.

Supervisor Walls stated that at the time Bordines had sketched a plan that was 2 to 3 times more in square footage than the Redico plan.

Chairperson Baker stated that the May 2010 Dixie Highway plan expanded beyond this property.

Supervisor Walls stated that this report was the only water and sewer study that HRC had done on Dixie Highway and they were given specific instructions and directions as to what to design and what to price out.

Chairperson Baker stated that the topic of connecting to Independence Township was not a possibility as per Dick Carlisle at April’s meeting.

Supervisor Walls stated that there is a remote possibility that this might become available if the County and the City of Pontiac can settle their differences; this might free up some capacity that might be available.

Commissioner Sclesky asked who the authority was over this system. Mr. Oppmann answered it is Oakland County.

Supervisor Walls stated that this capacity was very limited when it was granted originally.

Commissioner Hopper stated that the sanitary sewer leads would be the same if it was connected into a city system or a wastewater. One you would have to construct a wastewater plant and the other you would have to pay charges to connect.

Supervisor Walls stated that Independence Township paid for that system; they bought the capacity in the 1960's.

Chairperson Baker asked if the water tower proposed was a large, visible tower. Mr. Oppmann stated that it would be 20-30 feet in the air; it would be visible.

Supervisor Walls asked the reason that it was given to the Planning Commission is because he had been asked if any water and/or sewer studies had been done for this region. He stated that he has not yet had a chance to sit down with Randy Ford and explore other options; he still intends on having this meeting. He stated that he knows there are more viable and modular systems that are available.

Commissioner Sclesky stated that last month's suggestion, as per Commissioner Willson, was to send this to the Township Board and the reason that they didn't send it before is because they were lacking water and sewer information. He suggested that they send it to the Township Board with the further information that they will gain further information regarding water and sewer.

Chairperson Baker stated that he does not have any objections sharing this document with the Township Board. He stated that this may be the means of getting the Board's communication.

Commissioner Hopper stated that he does have the Dixie Highway Corridor Plan dated May 2010. He does not think that there was any action taken at the Board level.

Chairperson Baker stated that his recollection was it was going to be given to the Board for their feedback.

Supervisor Walls stated that the Board should also see the report that Carlisle Wortman put together in reference to the various square footage components within the regional and what this impact would have. He stated that they could put together this document, along with the Dixie Highway Corridor Plan and the HRC Dixie Corridor Plan from December 2009 and present it to the Township Board for input and they will send it back to the Planning Commission for direction. He stated that until it is adopted, it is not an official Corridor Plan and the 2010 Plan should not be adopted as a plan by itself.

Commissioners concurred that the above documents will go to the next Township Board meeting for consideration and review.

Other Business:

1. Update Priority List

Commissioners made updates and revisions to the current Priority List.

Public Comment: None.

Adjournment:

Commissioner Hines moved to adjourn the meeting at 8:51 p.m. Supported by Commissioner Hopper. Voted yes: Baker, Hines, Hopper, Leddy, Sclesky, Shaver, Willson. Voted no: None. Absent: None. Motion Carried.

Erin Mattice, Recording Secretary